IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.33359-M of 2007
Date of Decision:- 29.8.2007

Teja Singh ....Petitioner(s)

through
Mr.V.S.Punia, Advocate

vs.

State of Haryana ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is to release the petitioner on regular bail in F.I.R.No.191 dated 29.11.2006 under Sections 406, 498-A IPC registered at Police Station, Kalayat District Kaithal.

The aforestated F.I.R. has been registered in terms of direction issued by the learned Judicial Magistrate under Section 156(3) Cr.P.C.,on a complaint filed by Darshna Devi-wife of the petitioner.

As per the allegations contained in the F.I.R., the complainant was married to the petitioner on 18.6.1996 when she was hardly 13 years of age.

Their marriage, however, was consummated after attaining the age of majority on 1.12.2004. The F.I.R. further suggests that right from the inception till the year 2005, the complainant was subjected to harassment by the petitioner and his mother on account of bringing insufficient dowry.

The petitioner was arrested on 13.12.2006 and is in custody since then.

Meanwhile, the investigation is complete; challan has been presented and after framing of charges, one prosecution witness has also been examined. Meanwhile, the prosecution has moved an application under Section 319 Cr.P.C. to summon the mother of the petitioner as an additional accused against whom no charges have been framed.

The above-noticed events would indicate that there is no likelihood of conclusion of trial proceedings in the near future.

Having heard learned counsel for the parties and keeping in view the period already spent by the petitioner in custody and the fact that the conclusion of trial will take considerably long period but without expressing any views on the merits of the case lest it should prejudice either of them, this petition is allowed. The petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Kaithal.

August 29, 2007 **(SURYA KANT)**
poonam **JUDGE**